

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

020801-001010US

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on 18 May 2004

Signature

Typed or printed  
name Malinda C. Dagit

In re Application of

Phalgun B. Joshi, et al.

Application Number

09/295,925

Filed

April 21, 1999

For

**COMBINATION THERAPY USING NUCLEIC ACIDS AND  
RADIO THERAPY**

Art Unit

1632

Examiner

J. WeitachApplicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$330.

- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$165.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1430 in accordance with the accompanying Fee Transmittal submitted in duplicate..

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed, per the accompanying Fee Transmittal submitted in duplicate.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.  
Registration number 48,631

☐ attorney or agent acting under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a). \_\_\_\_\_

Signature

Carol A. Fang

Typed or printed name

415-576-0200

Telephone number

May 18, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

60214849 v1

05/25/2004 EFLORES 00000172 201430 09295925

01 FC:2401

165.00 DA